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PATENT  
Customer No. 22,852  
Attorney Docket No. 8953.0011-00

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: )  
)  
John David PORTER et al. ) Group Art Unit: 2665  
)  
Application No.: 09/592,683 ) Examiner: Ho, Duc Chi  
)  
Filed: June 12, 2000 ) Confirmation No.: 4453  
)  
For: CONTROL SIGNALLING AND )  
DYNAMIC CHANNEL ALLOCATION )  
IN A WIRELESS NETWORK )

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT**

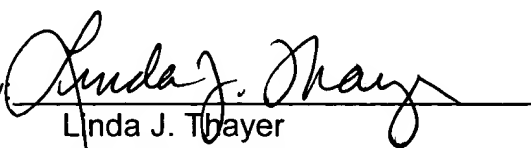
In response to the Notice of Non-Complaint Amendment mailed December 13, 2004, Applicants submit a substitute "page 5" to replace the "page 5" of the Response to Office Action filed September 23, 2004. Applicants submit that the substitute page 5 shows that claims 29-44 have been withdrawn.

Please grant any extensions of time required to enter this response, and charge any required fees to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: December 28, 2004

By:   
Linda J. Thayer  
Reg. No. 45,681

**Attachment: Substitute Page 5.**

21. (Currently Amended) A system according to any of claim [[15]] 18 and further comprising transmission means for transmitting the generated channel metrics to a network control server over a signalling channel.

22. (Original) A system according to claim 21 wherein said reallocation means (c) are located at the network control server, channel reallocation information generated by the channel reallocation means being transmitted from the network control server to at least the fixed base station in each region over the signalling channel.

23. (Currently Amended) A system according to claim 21, wherein said signalling channel is a permanent ATM VPI/VCI pair.

24-25. (Canceled)

26. (Currently Amended) A system according to any of claim [[15]] 18, wherein the monitoring means (a) are further arranged to monitor a plurality of the available channels in addition to the allocated channel in each region and the metric generation means are further arranged to generate one or more respective channel metrics including the correlation levels obtained by correlating a known training sequence corresponding to the allocated channel with each respective training sequence corresponding to the respective radio conditions on each of the plurality of monitored channels.

27-28. (Canceled)

29-44. (Withdrawn)